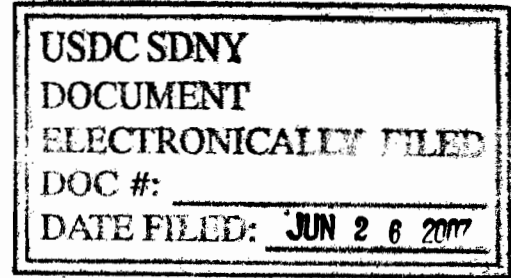


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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COLUMBIA PICTURES, et al.,

Plaintiffs,

-v-

No. 07 Civ. 3597 (LTS)(JCF)

DAVID COHEN, sued herein as JOHN
DOE No.1, et al.,

Defendants.
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ORDER

The Court has received the parties' letters, dated June 20, 2007, and June 22, 2007, in response to the Court's order terminating the motion of David Cohen and certain other defendants to dismiss the Amended Complaint. It is apparent from the enclosures to those letters that, while the parties have communicated concerning terms for settlement of the action, they have not complied with the requirement of Rule 2B that the parties' efforts to resolve matters informally "include, but need not be limited to, an exchange of letters outlining their respective legal and factual positions on the matters and at least one telephonic or in-person discussion of the matters."

Accordingly, the application for reinstatement of the motion is denied without prejudice to renewal after the parties have had written and oral communications concerning Plaintiff's anticipated substantive response to the motion, and such further settlement discussions as may be appropriate. Any renewed application must include the requisite certification and indicate whether any of the issues raised in the motion have been narrowed or resolved as a result of the communications.

SO ORDERED.

Dated: New York, New York
June 25, 2007

LAURA TAYLOR SWAIN
United States District Judge